

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,	)	
	)	
Plaintiff,	)	<b>ORDER</b>
	)	
vs.	)	
	)	
Dustin John Ward, Sr.,	)	Case No. 1:16-cr-135
	)	
Defendant.	)	

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On July 12, 2016, defendant made his initial appearance and was arraigned in the above-entitled action. AUSA Jon O’Konek appeared on the Government’s behalf. AFPD Michelle Monteiro was appointed as defense counsel and appeared on defendant’s behalf.

Prior to his initial appearance, defendant was incarcerated by the Three Affiliated Tribes of the Fort Berthold Indian Reservation at the Gerald T. Fox Justice Center in New Town, North Dakota. After the Indictment in this case was returned and an arrest warrant issued, a detainer was filed by the United States with Tribal officials. Defendant’s appearance before this court for his initial appearance and arraignment was secured by a writ of habeas corpus *ad prosequendum*.

At the close of the proceedings on July 12, 2016, defense counsel requested that defendant remain in federal custody pending final disposition of this matter. The court granted the request on the record and ordered that the United States Marshal retain defendant for all further proceedings. Shortly thereafter, defense counsel advised the court that she was withdrawing her request at defendant’s direction. Accordingly, the court vacates its earlier order to retain defendant. Defendant shall be returned to Tribal custody.

**IT IS SO ORDERED.**

Dated this 12th day of July, 2016.

/s/ Charles S. Miller, Jr.  
Charles S. Miller, Jr., Magistrate Judge  
United States District Court